

## **REMARKS**

Claims 1-43 have been previously canceled. Claims 44-51 are pending in the present application. Claims 44-51 have been rejected. Claims 44 and 49 have been amended. Support for these amendments is found generally throughout the specification. No new matter has been added. Accordingly, claims 44-51 remain pending in the present application. Reconsideration is respectfully requested in view of the amendments to the claims and the following remarks.

### **Claim Rejections - 35 USC§ 112**

The Examiner states:

**The term “may be” in claims 44, and 49 is a relative term which renders the claim indefinite. The term “may be” makes the step of executing an option. Correction is required.**

Applicant respectfully submits that claims 44 and 49 have been amended in accordance with Examiner’s suggestion. Accordingly, the rejections to claims 44 and 49 under 35 USC § 112 have been overcome.

### **Claim Rejections - 35 USC§ 102**

The Examiner states:

**Claims 44-51, are rejected under 35 U.S.C. 102(e) as being anticipated by Bauer et al. (Bauer hereinafter) US Patent No. 5,870,759 filed Oct. 9, 1999 and issued Feb. 9, 1999.**

Applicant respectfully disagrees.

### **Arguments**

Applicant respectfully submits that Bauer does not teach or suggest “...wherein the client specific setup information comprises information to enable the server system to identify the client system, to identify where to find information the server system

needs for synchronization and to provide at least one client specific command for the client system...transmitting to the client system a program comprising at least one client specific command, wherein when the program is executed by the client system, data synchronization occurs..." in combination with the other elements as recited in independent claim 44.

Argument #1:

The Examiner states that Bauer discloses "transmitting a program comprising at least one client specific command, wherein the program may be executed by the client system for synchronization" at Col. 2, lines 55-59 which state:

**There is a row modification if any column of a row in the table differs from that found in the before-image table, or if a row is present in one but not the other. Corresponding modification messages are then transmitted from the client to the server. (Emphasis added)**

Applicant respectfully disagrees. Independent claim 44 recites transmitting to the client system **a program** comprising at least one client specific command, wherein when the program is executed by the client system, data synchronization occurs (Emphasis added; present invention). Thus, an executable program is transmitted between the client system and the server system in the present invention (present invention, paragraph 0038).

In contrast, in Bauer, **modification messages** are transmitted from the client to the server (Emphasis added; Bauer, col. 2, lines 55-59). A person of known skill in the art recognizes that modification messages are not executable. Transmitting to the client system an executable program comprising at least one client specific command as disclosed by the present invention is clearly different than transmitting modification messages as disclosed by Bauer.

Furthermore, in Bauer, to facilitate the synchronization, a database synchronizer **is resident on the server node and client nodes** (Emphasis added; Bauer, col. 7, lines 43-45). Thus, in Bauer, each client already contains the programming instructions needed for synchronization since a database synchronizer resides on each client. Accordingly, there would be no need for the server system in Bauer to transmit an executable program comprising at least one client specific command for the client system to synchronize the data records because the client system in Bauer already has a database synchronizer with the appropriate commands included.

Argument #2:

The Examiner further states that Bauer discloses “wherein the client specific setup information comprises information to enable the server system to identify the client system, to identify where to find information the server system needs for synchronization and to provide at least one client specific command for the client system” at Col. 2, lines 1-14 which state:

**While a central (server) database includes information from all the clients, each remote (client) database is generally limited to data related to the respective client. The database synchronizer is used to synchronize the data in the central database with the data on each client's computer.**

**Briefly, the database synchronizer described herein performs database synchronization between a client database and a server database using a three-step process. First, the client determines what modifications to the client data have taken place since the last time of synchronization. The modifications detected are the creation of a new data item, an update to the value of an existing data item, and the deletion of a data item.**

Applicant respectfully disagrees. Independent claim 44 recites a **client specific setup information which comprises** information to enable the server system to identify the client system, to identify where to find information the server system needs for synchronization and to provide at least one client specific command for the client system (Emphasis added; present invention). Thus, the server system in the present

invention interprets a client specific setup information for each respective client (present invention, paragraph 0038).

In contrast, the server database in Bauer includes information from all clients and each client database is limited to data related to the respective client (Bauer, col. 2, lines 1-14). Bauer does not disclose a client specific setup information that comprises the three types of information recited by independent claim 44. A client specific setup information as recited by the present invention is clearly different than a server database including information from all clients and each client database being limited to data related to the respective client as disclosed by Bauer.

For the above-mentioned reasons, Bauer is clearly different than the invention recited in independent claim 44. Accordingly, Applicant respectfully submits that Bauer does not teach or suggest the recited invention of independent claim 44. Therefore, independent claim 44 is allowable over the Examiner's cited rejection.

Independent claim s 47 and 49 are substantially similar in scope to independent claim 44. Therefore, Applicant respectfully submits that these claims are allowable for substantially the same reasons as described for claim 44.

Claims 45-46 are dependent on allowable independent claim 44, claim 48 is dependent on allowable independent claim 47 and claims 50-51 are dependent on allowable independent claim 49. Therefore, Applicant respectfully submits that these dependent claims are allowable because they depend therefrom and also are allowable on their own merits.

## **CONCLUSION**

Accordingly, based at least on the reasons above, Applicant respectfully requests reconsideration and submits that claims 44-51 stand ready for allowance, and the claims that depend therefrom, are not anticipated or suggested by the cited references.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as the intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment. If the Examiner has any questions or comments, the Examiner is respectfully requested to contact the undersigned at the number listed below.

Respectfully submitted,  
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